

From: Khalid Qureshi
To: Microsoft ATR
Date: 1/23/02 10:33am
Subject: Micro\$oft \$ettlement

Dear DOJ-

I am opposed to the current Microsoft settlement as it does nothing to change the way that Microsoft illegally oppresses innovation through its predatory practices.

The problem is not totally that Microsoft is quite large and its software is well distributed, but that they use their size and market penetration to enforce practices designed to hurt competitors. There was ample evidence of these practices in the Anti-Trust trial, in which Microsoft was found guilty of being a monopoly and using unfair tactics to assure that it remained so.

For example, the open-source SAMBA project implements a network interface allowing non-Microsoft operating systems to connect to computers running Microsoft Windows operating systems for the purpose of moving files, distributing email, and sharing printers, among other things. This project has led to increased adoption of non-Microsoft operating systems within corporations. This is a threat to Microsoft, so they are changing the protocol WITHOUT providing any details on how the protocols will change. Add to this the new draconian licensing scheme which requires companies to upgrade software or face harsh penalties by Microsoft, and you can see that Microsoft is using its size to push all non-Microsoft products out of the market place. This is the problem with Microsoft, and one that the USDOJ has chosen not to address.

These tactics continue even as we speak because the USDOJ caved into pressure to basically drop the case. I am ashamed of the DOJ for the way that they "settled". Many economists, lawyers, computer industry specialists, and computer users have poured over the document and found that the "settlement" amounts to this:

Promise to be nice for at least five years, and if not, then we will send someone to look after you, and this person will not have access to any of your code and will thus be unable to gauge the impact of your business decisions. Effectively, we will do nothing but have a symbolic post to address your practices.

It was a great Christmas present to Microsoft, but a signal to the Computer Industry that the Government is not willing to enforce any real remedy. That is why nine states (I am ashamed to say that my state, OHIO, did not participate) did not join the "settlement", and scores of companies (most recently Netscape/AOL) have brought suits against Microsoft. The Government has shown incredible cowardice, and people are dissatisfied and will not take that cowardice for a true settlement.

Please implement a fair remedy for the good of the computer industry. I use Linux, and I love it because it provides what I need, including interoperability with Microsoft products. At work, I am forced to use Microsoft because of the licensing structure and the closed (i.e. Word *.doc and Powerpoint *.ppt) formats. Open these formats, and at least the engineering staff would jump at the chance to switch from the bug-ridden Microsoft Windows systems to a more robust and cheaper alternative ... like Linux. This cannot happen unless Microsoft is made to open the only thing that keeps them a monopoly-- not good products, but closed formats pushing others out of the way.

Thank you for your time,

Khalid Qureshi
Cincinnati, OH